

# UNITED STATES DISTRICT COURT

WESTERN DISTRICT OF NORTH CAROLINA

UNITED STATES OF AMERICA

V.

## CRIMINAL COMPLAINT

CASE NUMBER:

3:08 mj 133

Jacob Wayne Stull  
515 Oak County Line Road, Rutherfordton, NC 28139

I, Jacqueline Williams, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about June 3, 2008, in Rutherford County, in the Western District of North Carolina, 515 Oak County Line Road, Rutherfordton, NC did,

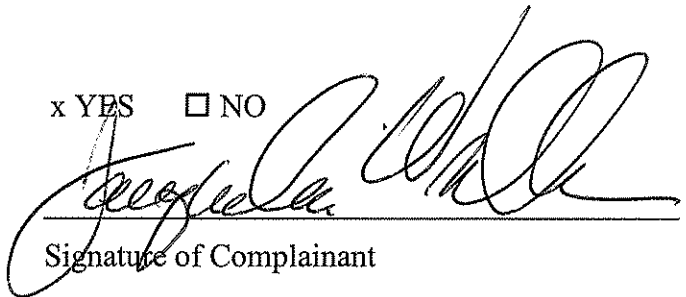
**Unlawfully possess a firearm in or affecting interstate commerce after being convicted of a crime punishable by imprisonment for a term exceeding one year.**

In violation of Title 18 United States Code, Section 922(g)(1).

I further state that I am a Special Agent with the Bureau of Alcohol, Tobacco and Firearms and that this complaint is based on the following facts:

SEE ATTACHED AFFIDAVIT

Continued on the attached sheet and made a part hereof: ☒ YES ☐ NO

  
Signature of Complainant

Charlotte, North Carolina

AT

City and State

  
Signature of Judicial Officer

Sworn to before me and subscribed in my presence,

June 11, 2008  
Date

Carl Horn, III, Magistrate Judge

Name and Title of Judicial Officer

UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF NORTH CAROLINA

AFFIDAVIT

1. I, Jacqueline Williams, being duly sworn, depose and state that I am a Special Agent with the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) and have been employed as a Special Agent for approximately nine (9) years. I hold a Bachelor of Science Degree from Morgan State University and I am a graduate of the Federal Law Enforcement Training Center and the ATF National Academy in Glynco, Georgia. My primary duties involve the investigation of Federal firearm, narcotics and explosive violations and their associated use in violent crime. I currently assist the Rutherford County Sheriff's Office Vice/Narcotics Division and the Forest City Police Department. These departments, along with ATF make a coordinated effort to jointly investigate narcotics organizations, and incidents of violence that affect the peace and tranquility of the citizens we serve.

2. Based upon my work in this investigation, your Affiant is familiar with Jacob Wayne Stull, residing at 515 Polk County Line Road, Rutherfordton, NC 28139. A criminal history check of Jacob W. Stull, DOB: 9/11/77, SSN: 261-81-9675, FBI# 389270WA0, reveals the following disabling conviction in North Carolina:

<u>Date</u>	<u>Charge</u>	<u>Disposition</u>	<u>Sentence</u>
5/9/98	Possession of a weapon of mass destruction	Convicted	3 yrs 8 months
	Discharge weapon into occupied property		

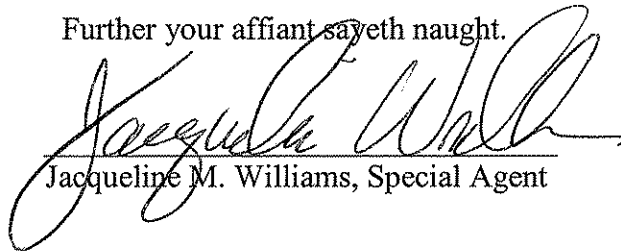
3. This affidavit is based not only on the observations of your affiant, but on information provided by sworn law enforcement officers. Your affiant is currently conducting an investigation involving an individual identified as Jacob Wayne Stull, DOB 9/11/77, who was in possession of an explosives device, firearms and ammunition at his residence located at 515 Oak County Line Road, Rutherfordton, NC 28139.
4. On June 2, 2008, the Rutherford County Sheriff's Office conducted an interview with a Source of Information (SOI) in regard to Jacob Wayne Stull. SOI informed officers that Jacob W. Stull was a convicted felon, had been to Federal prison and had many firearms and explosive devices at his residence. Based on the information the SOI provided, officers applied for a State search warrant for the residence of Jacob W. Stull.
5. On the evening of June 2, 2008, the Rutherford County Special Response Team executed a State search warrant at the residence of Jacob W. Stull. As a result of the search of the main dwelling, a single wide mobile home, where Debra Maynard Stull resides (mother of Jacob W. Stull), officers seized numerous firearms and numerous rounds of ammunition. Officers ran a stolen property check on each firearm seized from Debra Stull's residence. One of the firearms seized was flagged from the Polk County Sheriff's Office as stolen. Additionally, officers searched a camper trailer on this site, where Jacob W. Stull resides. As a result of the search of Jacob W. Stull's residence, two firearms (Springfield Model 1911, .45 caliber pistol, serial number 27695; Unknown

manufacturer rifle, 7.62x54, serial number 62744), ammunition, marijuana and what appeared to be a hand grenade were found. Officers immediately left the camper, secured it and called the North Carolina SBI Bomb Squad.

6. On June 3, 2008, the Rutherford County Sheriff's Office executed a second search warrant at the residence of Jacob W. Stull, based on additional information received from the search of Jacob W. Stull's residence on June 2, 2008. The SBI Bomb Squad determined that the hand grenade found at Jacob W. Stull's residence was inactive. The bomb squad searched the camper and found several components that are commonly associated with the manufacturing of homemade explosive devices. The SBI bomb squad also searched the mobile home and found items such as, pyrodex powder, fusing and other items commonly associated with homemade explosive devices. Pursuant to the search warrant, officers seized the two firearms and ammunition found the previous day in Jacob W. Stull's camper. Officers also seized, literature from both residences pertaining to activities that included white supremacist groups and hate crimes.
7. An ATF Interstate Nexus Expert determined that the Springfield Model 1911, .45 caliber pistol, recovered at Jacob W. Stull's residence, bearing serial number 27695, was manufactured in Massachusetts and therefore affected interstate commerce.
8. Your affiant states that a check of public record confirms that Jacob W. Stull currently resides at 515 Oak County Line Road, Rutherfordton, NC 28139. Jacob W. Stull is unemployed.

9. On June 10, 2008, a query into the Federal Licensing System (FLS) was conducted and determined that Jacob W. Stull does not have, nor has he ever applied for a Federal explosives license.
10. On June 10, 2008, your Affiant contacted the Governor's Clemency Office in Raleigh, North Carolina and the Bureau of Alcohol, Tobacco, Firearms and Explosives, Firearms Enforcement Division and it was determined that Jacob W. Stull has not applied for a pardon or received relief from his Federal firearms disability.
11. Based on the information contained herein, the affiant requests that an arrest warrant be issued for Jacob Wayne Stull for violation of Title 18 USC Section, 922 (g)(1), which makes it unlawful for any person who has been convicted of a felony to possess any firearm in or affecting interstate commerce.

Further your affiant sayeth naught.



Jacqueline M. Williams, Special Agent

This affidavit was reviewed by Assistant United States Attorney

Richard Edwards on June 10, 2008.

Sworn to and subscribed before me this 11<sup>th</sup> of day June 2008.



Carl Horn, III  
UNITED STATES MAGISTRATE JUDGE